

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

American Civil Liberties Union of
Massachusetts, Inc.,

Plaintiff,

vs.

U.S. Immigration and Customs Enforcement,

Defendant.

Civil Action No. 19-10690-LTS

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

The Defendant, U.S. Immigration and Customs Enforcement (“ICE”), by its attorney, Andrew E. Lelling, United States Attorney for the District of Massachusetts, respectfully moves the Court, pursuant to Rule 56 of the Federal Rules of Civil Procedure, for judgment in its favor.

As grounds for its motion, ICE states that there is no genuine issue of material fact in this proceeding, and that as a matter of law, judgment should be issued in its favor. In further support, ICE relies upon its Memorandum of Law, Statement of Undisputed Material Facts, and the Declaration of Toni Fuentes, Deputy Officer of the U.S. Immigration and Customs Enforcement Freedom of Information Act Office.

WHEREFORE, the Defendant, ICE, requests that the Court grant its motion and enter judgment in its favor.

Respectfully submitted,

ANDREW E. LELLING
United States Attorney

By: /s/ Susan M. Poswistilo
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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

Dated: September 11, 2019

/s/ Susan M. Poswistilo
Susan M. Poswistilo
Assistant U.S. Attorney

LOCAL RULE 7.1. CERTIFICATION

I certify that throughout the course of this proceeding, I consulted with counsel for the Plaintiff in an attempt to modify or narrow the issues, but was unable to reach a resolution.

/s/ Susan M. Poswistilo
Susan M. Poswistilo
Assistant U.S. Attorney